

REMARKS/ARGUMENTS

The Examiner is requiring restriction in the above-listed case as follows:

Group I: Claims 1-2, drawn to a resin blend composition;

Group II: Claims 3-6 and 10, drawn to an optical (stretched) film; and

Group III: Claims 7-9, drawn to a process for producing a stretched film.

Applicants have elected, with traverse, Group II: Claims 3-6 and 10, for further prosecution.

Applicants respectfully traverse the Restriction Requirement on the grounds that a search of all the claims would not present an undue burden.

The MPEP, in subsection 803 states:

If the search and examination of an entire application can be made without a serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

Applicants submit that a search of all the claims would not impose a serious burden on the Office. Because a search of all the claims would not impose a serious burden on the Office, Applicants request withdrawal of the Restriction Requirement.

Additionally, Applicants traverse the Restriction Requirement on the grounds that the Office has not shown that the process of Group III can be used to make other and materially different film structures than those of Group II. The film belonging to Group II relates to an optical film exhibiting negative birefringence and the production process belonging to Group III relates to a process for producing the optical film "exhibiting negative birefringence." Applicants further note that a resin material used for constituting the film is the same in both Groups. Accordingly, the Office has not shown that the process of Group III can be used to make other and materially different products than those of Group II, and Groups II and III should therefore be examined together. Withdrawal of the Restriction Requirement is requested.

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Reply to Office Action of April 25, 2006

Finally, Applicants note that MPEP §821.04 states:

If the Applicant elects claims directed to a product, and a product claim is subsequently found allowable, withdrawn process claims which depend from or otherwise include all the limitations of the allowable product claim will be rejoined.

Applicants respectfully submit that should the elected Group be found allowable, the non-elected process claims should be rejoined.

Applicants submit this application is now in condition for examination on the merits and early notification of such action is earnestly solicited.

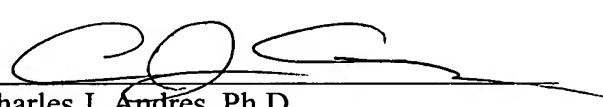
Respectfully submitted,

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